



## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Parts 9 and 721**

**[EPA-HQ-OPPT-2012-0740; FRL-9373-8]**

**RIN 2070-AB27**

### **Significant New Use Rule on Certain Chemical Substances; Withdrawal of Significant New Use Rules**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** EPA is withdrawing significant new use rules (SNURs) promulgated under the Toxic Substances Control Act (TSCA) for chemical substances which were the subject of premanufacture notices (PMNs). EPA published these SNURs using direct final rulemaking procedures. EPA received notices of intent to submit adverse comments on these rules. Therefore, the Agency is withdrawing these SNURs, as required under the expedited SNUR rulemaking process. EPA intends to publish in the near future proposed SNURs for these eight chemical substances under separate notice and comment procedures.

**DATES:** This final rule is effective January 2, 2013.

**FOR FURTHER INFORMATION CONTACT:** *For technical information contact:*

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## **SUPPLEMENTARY INFORMATION:**

### **I. Does this Action Apply to Me?**

A list of potentially affected entities is provided in the **Federal Register** of November 2, 2012 (77 FR 66149) (FRL-9366-7). If you have questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

### **II. What Rule is Being Withdrawn?**

In the **Federal Register** of November 2, 2012 (77 FR 66149), EPA issued several direct final SNURs, including SNURs for the chemical substances that are the subject of this withdrawal. These direct final rules were issued pursuant to the procedures in 40 CFR part 721, subpart D. In accordance with §721.160(c)(3)(ii), EPA is withdrawing the rule issued for eight chemical substances which were the subject of PMNs P-11-327, P-11-328, P-11-329, P-11-330, P-11-331, P-11-332, P-12-298, and P-12-299, because the Agency received notices of intent to submit adverse comments. EPA intends to publish a proposed SNUR for these chemical substances under separate notice and comment procedures.

For further information regarding EPA's expedited process for issuing SNURs, interested parties are directed to 40 CFR part 721, subpart D, and the **Federal Register** of July 27, 1989 (54 FR 31314). The record for the direct final SNURs for the chemical substances that are being withdrawn was established at EPA-HQ-OPPT-2012-0740. That

record includes information considered by the Agency in developing these rules and the notices of intent to submit adverse comments.

### **III. How Do I Access the Docket?**

To access the electronic docket, please go to <http://www.regulations.gov> and follow the online instructions to access docket ID number EPA-HQ-OPPT-2012-0740. Additional information about the Docket Facility is provided under **ADDRESSES** in the **Federal Register** of November 2, 2012 (77 FR 66149). If you have questions, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

### **IV. Statutory and Executive Order Reviews**

This final rule revokes or eliminates an existing regulatory requirements and does not contain any new or amended requirements. As such, the Agency has determined that this withdrawal will not have any adverse impacts, economic or otherwise. The statutory and executive order review requirements applicable to the direct final rules were discussed in the **Federal Register** of November 2, 2012 (77 FR 66149). Those review requirements do not apply to this action because it is a withdrawal and does not contain any new or amended requirements.

### **V. Congressional Review Act (CRA)**

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the

Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

**List of Subjects**

*40 CFR Part 9*

Environmental protection, Reporting and recordkeeping requirements.

*40 CFR Part 721*

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: December 12, 2012.

Maria J. Doa,

*Director, Chemical Control Division, Office of Pollution Prevention and Toxics.*

Therefore, 40 CFR parts 9 and 721 are amended as follows:

**PART 9--[AMENDED]**

1. The authority citation for part 9 continues to read as follows:

**Authority:** 7 U.S.C. 135 *et seq.*, 136-136y; 15 U.S.C. 2001, 2003, 2005, 2006, 2601-2671; 21 U.S.C. 331j, 346a, 348; 31 U.S.C. 9701; 33 U.S.C. 1251 *et seq.*, 1311, 1313d, 1314, 1318, 1321, 1326, 1330, 1342, 1344, 1345 (d) and (e), 1361; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp. p. 973; 42 U.S.C. 241, 242b, 243, 246, 300f, 300g, 300g-1, 300g-2, 300g-3, 300g-4, 300g-5, 300g-6, 300j-1, 300j-2, 300j-3, 300j-4, 300j-9, 1857 *et seq.*, 6901-6992k, 7401-7671q, 7542, 9601-9657, 11023, 11048.

**§ 9.1 [Amended]**

2. The table in § 9.1 is amended by removing the entries “§721.10612,” “§721.10613,” “§721.10614,” “§721.10615,” “§721.10616,” “§721.10617,” and “§721.10623” under the undesignated center heading “Significant New Uses of Chemical Substances”.

**PART 721--[AMENDED]**

3. The authority citation for part 721 continues to read as follows:

**Authority:** 15 U.S.C. 2604, 2607, and 2625(c).

**§721.10612 [Removed]**

4. Remove §721.10612.

**§721.10613 [Removed]**

5. Remove §721.10613.

**§721.10614 [Removed]**

6. Remove §721.10614.

**§721.10615 [Removed]**

7. Remove §721.10615.

**§721.10616 [Removed]**

8. Remove §721.10616.

**§721.10617 [Removed]**

9. Remove §721.10617.

**§721.10623 [Removed]**

10. Remove §721.10623.

[FR Doc. 2012-30694 Filed 12/20/2012 at 8:45 am; Publication Date: 12/21/2012]